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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,100	08/17/2006	Bernhard Arnold	071308.0750	1035

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PATENT DEPARTMENT
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EXAMINER

ESTREMSKY, GARY WAYNE

ART UNIT	PAPER NUMBER
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3677

MAIL DATE	DELIVERY MODE
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12/17/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/598,100	Applicant(s) ARNOLD ET AL.	
	Examiner Gary Estremsky	Art Unit 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8/17/06 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of the embodiment of Fig 6 in the reply filed on 11/14/08 is acknowledged. Remarks indicate that all claims read on elected embodiment but claims 2, 3, 7-9, 13, 14, and 18-20 include specific structural features not illustrated or described with respect to the elected embodiment and should be withdrawn. For purpose of expediting prosecution as much as possible, all claims are treated hereinbelow consistent with Applicant's Remarks.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the features of claims 2, 3, 7-9, 13, 14, and 18-20 must be shown in connection with the elected embodiment or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate

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changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 2, 3, 7-9, 13, 14, and 18-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. It is not clear how to make and use the claimed embodiment (as shown in Fig 6) further comprising the additional features of these rejected claims since the features are not clearly shown or described and the structures of these claims, combined with structure of the elected embodiment, appear to be unnecessary and/or contradictory in combination.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 6, 12, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat No. 6,276,884 to Bueter.

7. Bueter '884 teaches Applicant's claim limitations including : "component into which an internal screw thread is introduced" – 3, a "second component which has a corresponding external screw thread" – 1, "design deviating from that of the first section" – as shown wherein a space between the component threadings is illustrated, where it's noted claimed invention functionally recites but does not include "thread sealant".

8. Claims 1-6 and 12-17 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat No. 3,079,181 to Wissel.

9. Wissel '181 teaches Applicant's claim limitations including : "component into which an internal screw thread is introduced" –, a "second component which has a corresponding external screw thread" – other of parts 1,2, "design deviating from that of the first section" – as shown wherein a space between the component threadings is illustrated, where it's noted claimed invention functionally recites but does not include "thread sealant".

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 2, 10, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,276,884 to Bueter.

12. Although Bueter '884 doesn't explicitly disclose which thread is the external thread, reference discloses same flank height between sections and discloses different core diameter in one section defining a space between components. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the external thread element of Bueter '884 with a larger and a smaller diameter sections to create the disclosed space. Similar consideration applies to claims 13 and 14 for example.

13. As regards claim 10, although the reference illustrates thread sealant in portions 8 and 9, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide thread sealant only in portion 8 in order to reduce thread sealant for intended uses not requiring sever pressure sealing capability for example wherein such modification would not otherwise affect function of the arrangement.

14. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,276,884 to Bueter in view of U.S. Pat. No. 5,249,556 to Emmitt.

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15. Although Bueter '884 does not's disclose use of seal on a fuel pump, Emmett '556 teaches that it's well known to provide seal threaded connection in a fuel pump. It would have obvious to one of ordinary skill in the art at the time of the invention to adapt the thread seal of Bueter '884 for use in sealing a threaded connection of a fuel pump in order to avoid leakage, well known motivation to those of ordinary skill in the art.

16. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 3,079,181 to Wissel in view of U.S. Pat. No. 5,249,556 to Emmitt.

17. Although Wissel '181 does not's disclose use of seal on a fuel pump, Emmett '556 teaches that it's well known to provide seal threaded connection in a fuel pump. It would have obvious to one of ordinary skill in the art at the time of the invention to adapt the thread seal of Wissel '181 for use in sealing a threaded connection of a fuel pump in order to avoid leakage, well known motivation to those of ordinary skill in the art.

Allowable Subject Matter

Due to the nature of rejections made under 35 USC 112, first paragraph, no allowable subject matter can be indicated at this time.

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

19. U.S. Pat. No. 3,405,751 to Parr.

20. U.S. Pat. No. 3,799,229 to Johnson.
21. U.S. Pat. No. 4,278,005 to Lachner.
22. U.S. Pat. No. 6,030,162 to Huebner.
23. U.S. Pat. No. 6,989,014 to Justin.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary Estremsky whose telephone number is 571 272-7055. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Victor Batson can be reached on 571 272-6987. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gary Estremsky
Primary Examiner
Art Unit 3677

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